IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)) 8:08CR317
	Plaintiff,))
	vs.) DETENTION ORDER
JO	HN J. BLACK, JR.,	
	Defendant.)
A.	Order For Detention After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on August 26, 2008, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).	
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 	
C.	(Counts 1 and 4) in violate maximum of sentence of two fa firearm by a felon (Cos § 922(g) each carry imprisonment. (b) The offense is a crime of (c) The offense involves a national content of the firearm of the fir	Report, and includes the following: offense charged: on of methylenedioxymethamphetamine ion of 21 U.S.C. § 841(a)(1) each carry a venty years imprisonment; the possession unts 2, 5, 7 and 9) in violation of 18 U.S.C. a maximum sentence of ten years violence - 18 U.S.C. § 3156(a)(4)(B).
	may affect wheth The defendant hat X The defendant hat X The defendant hat The defendant is The defendant defendant defendant defendant defendant hat X The defendant hat X The defendant hat X The defendant hat X The defendant hat	of the defendant including: ppears to have a mental condition which er the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. oes not have any significant community the defendant: as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at s.

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(c)	Probation X Supervise Release - Nebraska - 8:05CR388 Release pending trial, sentence, appeal or completion of sentence. Other Factors: The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.
	Other: Other: nature and seriousness of the danger posed by the defendant's
defen	se are as follows: The nature of the charges in the Indictment, the dant's drug abuse history, the defendant's violations of supervised se, and the defendant's criminal history.
In det on the which X (a)	ettable Presumptions ermining that the defendant should be detained, the Court also relied of following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e) the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:

D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from

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- persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: August 26, 2008. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge